# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

CAPTAIN NANCY S. DIETZ,	)
Plaintiff,	)
V.	) ) C.A. No. 06-256-SLR
JAMES M. BAKER, et al.	) ) JURY TRIAL DEMANDED
Defendants.	)

#### STIPULATION AND ORDER OF PARTIAL DISMISSAL OF CLAIMS

Subject to the approval of the Court, the plaintiff, by her attorneys, and the defendants, by their attorneys, hereby stipulate and agree that Plaintiff's claims regarding the appointment of James Wright to the position of inspector should be dismissed with prejudice and without awarding fees or costs to either party.

#### LANDIS RATH & COBB LLP

### /s/ Daniel B. Rath

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Counsel for Plaintiff

Dated: August 24, 2007

IT IS SO ORDERED, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Judge

DB02:6199748.1 065366.1001